



California Fair Political Practices Commission

July 5, 1989

Charles P. Scully
300 Montgomery Street
Suite 735
San Francisco, CA 94104-1909

Re: Your Request for Advice
Our File No. A-89-348

Dear Mr. Scully:

We have received your letter of June 5, 1989, seeking written confirmation of the advice I provided to you in our telephone conversation of June 2, 1989, regarding your status as a lobbyist under the Political Reform Act.¹ This is to confirm that your letter accurately reflects that advice. However, I would like to clarify a couple of points made in your letter.


You need not register as a lobbyist as long as (1) you have less than 25 contacts with legislative or agency officials in any two consecutive months and (2) you, as an individual, receive less than \$2,000 in a calendar month for your lobbying activities, including any preparatory work you may do in order to testify before a legislative committee. Therefore, regardless of the fact that you are a "salaried employee" of the law firm, you must calculate the portion of your time that is consumed by lobbying activities on a monthly basis in order to determine whether you receive \$2,000 in a calendar month for lobbying activities.

A copy of your letter is enclosed for your convenience.

If you have any further questions, please contact me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel

By: 
Kevin S. Braaten-Moen
Political Reform Consultant

Enclosures

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

LAW OFFICES
OF
CHARLES P. SCULLY, INC.
300 MONTGOMERY STREET
SUITE 735
SAN FRANCISCO, CALIFORNIA 94104-1909

CHARLES P. SCULLY (1915-1985)
DONALD C. CARROLL
CHARLES P. SCULLY, II

June 5, 1989

TELEPHONE
362-0241
AREA CODE 415

EX-100
JUN 6 2 46 PM '89

Mr. Kevin Braaten-Moen
Fair Political Practices Commission
428 "J" Street, Suite 800
Sacramento, CA 95814

Dear Mr. Bratten-Moen:

This will simply serve to confirm our telephone conversation of June 2, 1989. As I explained these offices are registered as a "lobbying firm" and Mr. Donald Carroll is registered as a lobbyist.

The principal activity requiring registration as a lobbying firm is the fact that these offices draft legislation for clients who in turn seek an author and support passage of many particular items of legislation.

We have previously been advised that in terms of the drafting process there is no need for me to register separately as a lobbyist given the firm's registration.

We recently represented a client who was involved in negotiations for a package of reforms in a particular legislative area. That client has requested that I testify at various committee and sub-committee hearings in order to explain various proposed sections from a legal perspective. I am not involved in any lobbying activity other than those described above, i.e. I am not being requested to discuss the proposed legislation in a one-and-one setting with any particular legislator.

From our discussion it is my understanding that I need not register personally as a lobbyist unless I appear as a witness before committees 25 or more times during any two month period. Of course any compensation these offices receive due to my services to the client will be reported on our offices' lobbyist report forms. Our office is structured as a corporation and, accordingly, I am a salaried employee shareholder in the same.

Mr. Kevin Braaten-Moen
Fair Political Practices Commission

Page Two
June 5, 1989

Should I be mistaken in terms of my understanding of obligations pursuant to the Act related to the afore-said activities, I would appreciate your contacting me by the means most convenient to you in order to assure that I personally, and these offices as an entity, fully comply with all requirements of the Act.

Thank you.

Very truly yours,

LAW OFFICES OF
CHARLES P. SCULLY, INC.

By *Charles P. Scully II*
88

Charles P. Scully II

CPSII:bjs
OPE-3-AFL-CIO

cc: Donald C. Carroll

LAW OFFICES
OF
CHARLES P. SCULLY, INC.
300 MONTGOMERY STREET
SUITE 735
SAN FRANCISCO, CALIFORNIA 94104-1909

7-176
Jun 11 2 15 PM '89

TELEPHONE
362-0241
AREA CODE 415

CHARLES P. SCULLY (1915-1985)
DONALD C. CARROLL
CHARLES P. SCULLY, II

June 5, 1989

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Fair Political Practices Commission
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Mr. Kevin Braaten-Moen
Fair Political Practices Commission

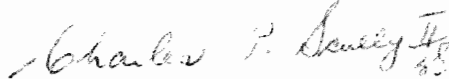
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LAW OFFICES OF
CHARLES P. SCULLY, INC.

By 
43

Charles P. Scully II

CPSII:bjs
OPE-3-AFL-CIO

cc: Donald C. Carroll



California Fair Political Practices Commission

June 8, 1989

Charles P. Scully
Charles P. Scully, Inc.
300 Montgomery Street, Suite 735
San Francisco, CA 94104-1909

Re: Letter No. 89-348

Dear Mr. Scully:

Your letter requesting advice under the Political Reform Act was received on June 6, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard

Jeanne Pritchard
Chief Technical Assistance
and Analysis Division

by jph

JP:plh